

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Dean Benter,

Civil No. 14-1030 (DWF/HB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

U.S. Social Security Administration
Field Office - Bemidji, and U.S. Social
Security Field Office - Rochester,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Hildy Bowbeer dated September 18, 2014. (Doc. No. 14.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Hildy Bowbeer's Report and Recommendation (Doc. No. [14]) is **ADOPTED**.
2. Defendants' Motion to Dismiss (Doc. No. [3]) is **GRANTED**.
3. This case is **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 16, 2014

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge